

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed July 31, 2003. Claims 15-31 are pending in the application. Claims 1-14, previously withdrawn from consideration, are now canceled without prejudice or disclaimer. Claims 15-25 and 27-31 stand rejected. Claim 26 stands objected to. Applicants have amended Claims 15 and 31 and rewritten Claims 25 and 26 into independent form. Applicants submit that at least Claims 25 and 26 are not narrowed and that no new matter has been introduced by these amendments. Applicants respectfully request reconsideration and favorable action in this case.

Section 102 Rejections

The Office Action rejects Claims 15-19, 21-23, 27 and 31 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,206,470 to White ("*White*"). Independent Claims 15 and 31 have been amended to recite, "a Lead-Salt layer deposited upon the passivation layer." *White*, in contrast, merely discloses epoxying bulk infrared detector material 120 to a silicon integrated circuit substrate 10. Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. § 102(b) rejection of independent Claims 15 and 31 and their respective dependents Claims 16-19, 21-23, and 27.

Section 103 Rejections

The Office Action has rejected Claims 20, 24-25, 28-29, and 30 under 35 U.S.C. § 103(a) as being unpatentable. Applicants respectfully traverse all rejections and assertions therein for the following reasons.

In particular, Claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *White* in view of U.S. Patent No. 4,570,329 to Paine, et al. ("*Paine*"). As discussed above, Independent Claim 15 has been amended to recite, "a Lead-Salt layer deposited upon the passivation layer" from which Claim 20 depends. There is no citation in the Office Action of this element in *White*, as discussed above, or in *Paine*. Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejection of Claim 20.

Claim 24 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *White* in view of U.S. Patent No. 4,148,052 to Nathanson, et al. ("*Nathanson*"). As discussed above, Independent Claim 15 has been amended to recite, "a Lead-Salt layer deposited upon the passivation layer" from which Claim 24 depends. There is no citation in the Office Action of this element in *White*, as discussed above, or in *Nathanson*. Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejection of Claim 24.

Claim 25 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *White* in view of U.S. Patent No. 5,541,438 to Martin, et al. ("*Martin*"). In this rejection, the Office Action concedes that "White does not disclose a textured passivation layer." Office Action, Page 4. Though, it then asserts that "it would have been obvious to one skilled in the art" to combine *White* with *Martin* "to increase the electrical response and add mechanical strength." Office Action, Page 4. This advantage suggested by the Office Action is not germane to the passivation layer 14 disclosed in *White*, because the passivation layer 36 disclosed in *Martin* reduces the reflection of incident light on the FET and thus increase the electrical detection signal generated by the FET. Col. 6, Lines 6-10. The passivation layer 14 disclosed in *White* is located between the integrated circuit 10 and the bulk infrared detection material 120, which clearly does not appear to receive and transmit incident light. As for the mechanical strength motivation offered by the Office Action, Applicants submit that *Martin* merely discloses that the passivation layer provides added mechanical strength, not that the texturization of the passivation layer provides additional mechanical strength. Col. 8, Lines 8-9. Therefore, there is no motivation for the combination suggested by the Office Action and Applicants respectfully request the Examiner withdraw this rejection and all assertions therein.

The Office Action rejects Claims 28 and 29 under 35 U.S.C. § 103(a) as being unpatentable over *White* in view of *Nathanson*. Applicants respectfully submit that the proposed *White-Nathanson* combination fails to disclose, teach, or suggest the limitations recited in the Applicants' claims. For example, Independent Claim 28 recites, "a conductive material upon the passivation layer, the conductive material forming a plurality of detector contacts and a common grid for the detector." For the teaching of this limitation, the Office

Action offers the source contacts 16a, 16b, and 16c depicted in Figure 2 of *White*. However, *White* does not teach or suggest the source contacts 16a, 16b, and 16c formed in a common grid. *White*, in contrast, merely discloses source contacts of varied lengths in a parallel structure. Figure 1A; Figure 2. Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) of Claim 28 and its dependent Claim 29.

The Office Action rejects Claim 30 under 35 U.S.C. § 103(a) as being unpatentable over *White* in view of *Nathanson* and further in view of *Martin*. The Office Action has not shown a suggestion or a motivation in the references or in the knowledge generally available to one of ordinary skill in the art to make the proposed *White-Martin* combination, as discussed in detail in response to the 35 U.S.C. § 103(a) rejection of Claim 25. Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) of Claim 30.

Allowable Subject Matter

Claim 26 has been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have rewritten Claim 26 in independent form as suggested by the Examiner and thus respectfully request the withdrawal of the objection to Claim 26.

CONCLUSION

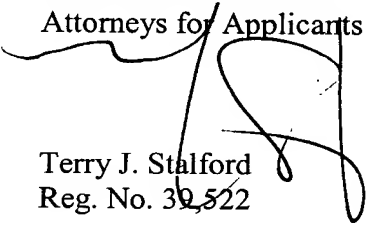
Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicants hereby request a telephone conference with the Examiner and further request that the Examiner contact the undersigned attorney to schedule the telephone conference.

An additional filing fee of \$86.00 is due, and a check in that amount is submitted herewith. The Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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Date: October 30, 2003

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